

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**DEMARCO WILLIAMS,**

**Defendant.**

**No. 09-cr-30021-DRH**

**ORDER**

**HERNDON, Chief Judge:**

This matter is before the Court pursuant to the Report and Recommendations ("R & R") issued by Magistrate Judge Clifford Proud. (Doc. 20). The Indictment, (Doc. 1), charges Defendant with four counts of distribution of 3,4-Methylenedioxymethamphetamine in violation of 21 U.S.C. § 841(a)(1). Following consent by the Government and the Defendant (Doc. 16), the matter was referred to the Magistrate pursuant to **28 U.S.C. § 636 and SDIL Rule 72.1(b)(2)** for purposes of accepting Defendant's change of plea. Magistrate Judge Proud held the change of plea hearing on July 22, 2009. (Doc. 17).

At the change of plea hearing, Defendant pleaded guilty to all four counts of the Indictment. (Doc. 17). Magistrate Judge Proud issued an R & R reporting Defendants knowing and voluntary plea of guilty to Counts 1 through 4 of the Indictment and recommending that the Court accept the guilty plea. In accordance with **28 U.S.C. § 636(b)(1)(B)**, the parties were provided notice of their right to object to the R & R and allowed ten (10) days from the issuance of the R&R to file

written objections.

Neither party filed an objection to the R & R. Thus, the Court **ADOPTS** the R & R (Doc. 20) in its entirety. The Court finds Defendant Demarco Williams' was fully competent and capable of entering an informed plea of guilty to Counts 1, 2, 3 and 4 of the Indictment, that the Defendant was aware of the nature of the charges and the consequences of the plea, that the plea of guilty was a knowing and voluntary plea supported by an independent factual basis containing each of the essential elements of the offense. Accordingly, the Court **ACCEPTS** Defendant Demarco Williams' guilty plea and **ADJUDGES** Defendant **GUILTY** of **Counts 1, 2, 3 and 4 of the Indictment** (Doc. 1) and **DIRECTS** the United States Probation Office to prepare a pre-sentence investigation report. Sentencing in this matter is set for November 6, 2009 at 1:30 p.m.

**IT IS SO ORDERED.**

Signed this 20<sup>th</sup> day of August, 2009.

/s/ David R. Herndon  
**Chief Judge**  
**United States District Court**